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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/701,861	12/05/2000	Robert Kaplan		9101

7590

07/08/2005

Robert Kaplan  
4 Creswick Walk  
London, NW11 6AN  
UNITED KINGDOM

EXAMINER

PEREZ DAPLE, AARON C

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 07/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Interview Summary**

Application No.

09/701,861

Applicant(s)

KAPLAN, ROBERT

Examiner

Aaron C. Perez-Daple

Art Unit

2154

All participants (applicant, applicant's representative, PTO personnel):

(1) Aaron C. Perez-Daple.

(3) \_\_\_\_\_.

(2) Robert Kaplan.

(4) \_\_\_\_\_.

Date of Interview: 27 June 2005.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: N/A.

Identification of prior art discussed: \_\_\_\_\_.

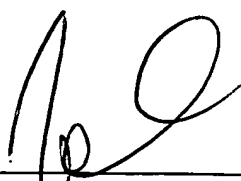
Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: A copy of email correspondence from 12/1/04-6/27/05 is hereby entered as a matter of record. According to MPEP 502.3 official communications may not be sent via email without proper authorization. All future correspondence should occur over official channels only. See attached.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
Examiner's signature, if required

RD

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

## Perez-Daple, Aaron

---

**From:** Perez-Daple, Aaron  
**Sent:** Monday, June 27, 2005 1:45 PM  
**To:** 'rk'  
**Subject:** RE: patent application

Robert,

The name of the primary examiner is Larry Donaghue. If you wish to speak with him, you should schedule an interview so that all three of us can be present on the call. From now on, all communications should be sent in writing through official channels.

Best regards,  
Aaron

-----Original Message-----

From: rk [mailto:rk@x-ez.com]  
Sent: Monday, June 27, 2005 1:07 PM  
To: Perez-Daple, Aaron  
Subject: Re: patent application

Aaron,

Could you please give me the name of the Primary Examiner that upheld your decision because there are several other matters that would be addressed should this end up in Court.

Regards

Robert

----- Original Message -----

From: "Perez-Daple, Aaron" <Aaron.Perezdaple@USPTO.GOV>  
To: "rk" <rk@x-ez.com>  
Sent: Monday, June 27, 2005 5:47 PM  
Subject: RE: patent application

> Robert,

>

> Please just file the appeal as normal. You do not need to address it to the primary examiner. With regards to the Walker reference, the dates were not ignored. The reference is a continuation of an earlier application which is enabling for the relied upon subject matter. Although Walker is sufficient, additional references were cited only to make you aware that other basis for rejection do exist. Call me if you have additional questions.

>

> Best regards,  
> Aaron

>

> -----Original Message-----

> From: rk [mailto:rk@x-ez.com]  
> Sent: Sunday, June 26, 2005 1:02 PM  
> To: Perez-Daple, Aaron  
> Subject: Re: patent application

>

>

> Aaron,

>

> Now I have had the opportunity to speak to both the EC examiners and a  
> solicitor with regards to the US patent application you have rejected, I  
> intend to file an appeal and would therefore appreciate the name of the  
> Primary Examiner that upheld your decision to deny the application of  
> updating an account by linking to a web site in the background thereby  
> monitoring the continued usage.  
>  
> Furthermore, from what I have been told it is highly unusual to ignore the  
> priority date when an application comes through the PCT channels and even  
> more unusual to quote references years after the priority date and to make  
a  
> statement about interpretation being subjective and individual and your  
> subjective opinion was that I did not have the right to make a claim for a  
> device that accesses an account server for updating an individual account  
in  
> the background, because you did not interpret my disclosure to be such as  
> you wrote in your response to me.  
>  
> Referencing additional unrelated examples to your original prior art that  
> included Reber, I have been advised is highly irregular and unusual and  
if  
> this practice was adopted for all patent applications 60% would be denied  
> and of the remaining patents granted 50% of them would be considered  
> embellishments of prior art.  
>  
> I do not know or understand your actions, however after waiting 7 years  
for  
> the application to be examined I am sure the technology could be  
considered  
> obsolete, this does not excuse the cavalier way in which I have been  
> treated, being told one thing over the phone and then receiving an  
entirely  
> different response by mail, which led, if you recall to me asking you if  
you  
> had actually seen my response.  
>  
> Reading your criticism and comments the one question that will be  
addressed  
> in the appeal is why I received a "notification of acceptance of the  
> application under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495" Form  
> PCT/DO/EO/903. If it was indeed unacceptable as you claimed it was  
forcing  
> me to follow your verbal instructions in making changes that were then  
> objected to.  
>  
> I look forward to receiving the Primary Examiners name so I may go ahead  
> with my appeal.  
>  
> Regards  
>  
> Robert Kaplan  
>  
> ----- Original Message -----  
> From: "Perez-Daple, Aaron" <Aaron.Perezdaple@USPTO.GOV>  
> To: "rk" <rk@x-ez.com>  
> Sent: Wednesday, May 04, 2005 5:40 PM  
> Subject: RE: patent application  
>  
>  
> >  
> > The example references are:  
> >  
> > US 5,749,075  
> > US 5,640,193  
> > US 5,590,197

> > US 5,465,291  
> >  
> > In addition, there are many debit/smart/atm card devices for updating a  
> user account in the prior art which, in combination with Reber, would  
teach  
> the invention.  
> >  
> > -----Original Message-----  
> > From: rk [mailto:rk@x-ez.com]  
> > Sent: Wednesday, May 04, 2005 7:00 AM  
> > To: Perez-Daple, Aaron  
> > Subject: Re: patent application  
> >  
> >  
> > Aaron,  
> >  
> > thank you, no need to trouble you with a phone call if you can please  
> > forward to me the 4 references you have found pertaining to a reader  
that  
> > interprets the data then opens a communication program to enable  
> > transferring or not the data as recorded on a data carrier which in the  
> > application we are discussing is account data that is updated according  
to  
> > usage online.  
> >  
> > This will enable me to determine whether to appeal your decision or not.  
> >  
> > Regards  
> >  
> > Robert  
> > ----- Original Message -----  
> > From: "Perez-Daple, Aaron" <Aaron.Perezdaple@USPTO.GOV>  
> > To: "rk" <rk@x-ez.com>  
> > Sent: Tuesday, May 03, 2005 7:03 PM  
> > Subject: RE: patent application  
> >  
> >  
> > > Robert,  
> > >  
> > > I looked at the prior art again and reviewed your case with a primary  
> > patent examiner this afternoon. Unfortunately, we did not find any  
> > patentable subject matter. I have 4 references here with dates prior to  
> > 1996 that teach updating individual account data on a network based on a  
> > data reading operation.  
> > >  
> > > I do not have much more time to spend on this application; however,  
you  
> > can call me if you need more clarification.  
> > >  
> > > Regards,  
> > > Aaron  
> > >  
> > > -----Original Message-----  
> > > From: rk [mailto:rk@x-ez.com]  
> > > Sent: Tuesday, April 26, 2005 10:45 AM  
> > > To: Perez-Daple, Aaron  
> > > Subject: Re: patent application  
> > >  
> > >  
> > > Aaron,  
> > >  
> > > Thank you for letting me know it wont be this week.  
> > >  
> > > Regards  
> > >

> > > Robert  
> > >  
> > > ----- Original Message -----  
> > > From: "Perez-Daple, Aaron" <Aaron.Perezdaple@USPTO.GOV>  
> > > To: "rk" <rk@x-ez.com>  
> > > Sent: Tuesday, April 26, 2005 3:27 PM  
> > > Subject: RE: patent application  
> > >  
> > >  
> > > > Hi Robert,  
> > > >  
> > > > I am going to discuss your case with a Primary Examiner in the art  
> > > > unit  
> > > > sometime early next week. I will get back to you then.  
> > > >  
> > > > -Aaron  
> > > >  
> > > > -----Original Message-----  
> > > > From: rk [mailto:rk@x-ez.com]  
> > > > Sent: Friday, April 22, 2005 10:46 AM  
> > > > To: Perez-Daple, Aaron  
> > > > Subject: Re: patent application  
> > > >  
> > > >  
> > > > That works for me, speak to you on Monday at 3pm your time  
> > > >  
> > > >  
> > > > ----- Original Message -----  
> > > > From: "Perez-Daple, Aaron" <Aaron.Perezdaple@USPTO.GOV>  
> > > > To: "rk" <rk@x-ez.com>  
> > > > Sent: Thursday, April 21, 2005 8:43 PM  
> > > > Subject: RE: patent application  
> > > >  
> > > >  
> > > > > how about next Monday at 3pm?  
> > > > >  
> > > > > -----Original Message-----  
> > > > > From: rk [mailto:rk@x-ez.com]  
> > > > > Sent: Thursday, April 21, 2005 1:08 PM  
> > > > > To: Perez-Daple, Aaron  
> > > > > Subject: Re: patent application  
> > > > >  
> > > > >  
> > > > > Sorry I cannot call tomorrow at 2pm, any other suggestion ?  
> > > > >  
> > > > > ----- Original Message -----  
> > > > > From: "Perez-Daple, Aaron" <Aaron.Perezdaple@USPTO.GOV>  
> > > > > To: "rk" <rk@x-ez.com>  
> > > > > Sent: Thursday, April 21, 2005 5:59 PM  
> > > > > Subject: RE: patent application  
> > > > >  
> > > > >  
> > > > > > Hi Robert, I reviewed you application again in view of the prior  
> > > > > > art,  
> > > > > > and  
> > > > > > I still feel that the rejection is proper. We can discuss it  
> > > > > > again  
> > > > > > tomorrow, if you want to call me around 2pm my time. Let me know  
> > > > > > if  
> > > > > > this  
> > > > > > > works for you.  
> > > > > > >  
> > > > > > > -Aaron  
> > > > > > >  
> > > > > > > -----Original Message-----

> > > > > From: rk [mailto:rk@x-ez.com]  
> > > > > Sent: Tuesday, April 19, 2005 12:19 PM  
> > > > > To: Perez-Daple, Aaron  
> > > > > Subject: Re: patent application  
> > > > >  
> > > > >  
> > > > > Thanks, I wiill call at 3pm your time  
> > > > >  
> > > > >  
> > > > > ----- Original Message -----  
> > > > > From: "Perez-Daple, Aaron" <Aaron.Perezdaple@USPTO.GOV>  
> > > > > To: "rk" <rk@x-ez.com>  
> > > > > Sent: Tuesday, April 19, 2005 5:01 PM  
> > > > > Subject: RE: patent application  
> > > > >  
> > > > >  
> > > > > > Sure. Can you call around 3pm EST? It is 12 pm here now.  
> > > > > >  
> > > > > > -----Original Message-----  
> > > > > > From: rk [mailto:rk@x-ez.com]  
> > > > > > Sent: Tuesday, April 19, 2005 12:07 PM  
> > > > > > To: Perez-Daple, Aaron  
> > > > > > Subject: Re: patent application  
> > > > > >  
> > > > > >  
> > > > > > Aaron, Hi  
> > > > > >  
> > > > > > Could you let me know if you are available anytime today ?  
> > > > > >  
> > > > > > Regards  
> > > > > >  
> > > > > > Robert  
> > > > > > ----- Original Message -----  
> > > > > > From: "Perez-Daple, Aaron" <Aaron.Perezdaple@USPTO.GOV>  
> > > > > > To: "rk" <rk@x-ez.com>  
> > > > > > Sent: Thursday, April 14, 2005 7:18 PM  
> > > > > > Subject: RE: patent application  
> > > > > >  
> > > > > >  
> > > > > > > Hi Robert. I am in the office now, if you would like to  
call.  
> > > > > > >  
> > > > > > > -----Original Message-----  
> > > > > > > From: rk [mailto:rk@x-ez.com]  
> > > > > > > Sent: Monday, January 31, 2005 1:08 PM  
> > > > > > > To: Perez-Daple, Aaron  
> > > > > > > Subject: Re: patent application  
> > > > > > >  
> > > > > > >  
> > > > > > > Aaron,  
> > > > > > >  
> > > > > > > Absolutely, look forward to speaking to you at 11am  
Wednesday.  
> > > > > > >  
> > > > > > > Regards  
> > > > > > >  
> > > > > > > Robert  
> > > > > > >  
> > > > > > >  
> > > > > > > ----- Original Message -----  
> > > > > > > From: "Perez-Daple, Aaron" <Aaron.Perezdaple@USPTO.GOV>  
> > > > > > > To: "rk" <rk@x-ez.com>  
> > > > > > > Sent: Monday, January 31, 2005 5:57 PM  
> > > > > > > Subject: RE: patent application  
> > > > > > >



> > > > > > > > Can we do it at 11am, instead?

> > > > > > > > -----Original Message-----

> > > > > > > > From: rk [mailto:rk@x-ez.com]

> > > > > > > > Sent: Monday, January 31, 2005 12:53 PM

> > > > > > > > To: Perez-Daple, Aaron

> > > > > > > > Subject: Re: patent application

> > > > > > > > >

> > > > > > > > > Aaron,

> > > > > > > > > Will you be available on Wednesday at 10 am, I should not

> > > require

> > > > more

> > > > > > > > > than

> > > > > > > > > 10 minutes of your time..

> > > > > > > > > >

> > > > > > > > > Regards

> > > > > > > > > >

> > > > > > > > > Robert

> > > > > > > > > >

> > > > > > > > > ----- Original Message -----

> > > > > > > > > From: "Perez-Daple, Aaron" <Aaron.Perezdaple@USPTO.GOV>

> > > > > > > > > To: "rk" <rk@x-ez.com>

> > > > > > > > > Sent: Wednesday, January 26, 2005 4:09 PM

> > > > > > > > > Subject: RE: patent application

> > > > > > > > > >

> > > > > > > > > >

> > > > > > > > > > Robert,

> > > > > > > > > >

> > > > > > > > > > No problem. Let me know when you are available. Sorry

> > > for

> > > your

> > > > > > > > > loss.

> > > > > > > > > >

> > > > > > > > > > Regards,

> > > > > > > > > > Aaron

> > > > > > > > > >

> > > > > > > > > > -----Original Message-----

> > > > > > > > > > From: rk [mailto:rk@x-ez.com]

> > > > > > > > > > Sent: Wednesday, January 26, 2005 2:42 AM

> > > > > > > > > > To: Perez-Daple, Aaron

> > > > > > > > > > Subject: Re: patent application

> > > > > > > > > >

> > > > > > > > > >

> > > > > > > > > > Aaron,

> > > > > > > > > >

> > > > > > > > > > Not to worry. Could we please re schedule for next week

> > > as

> > > my

> > > > > > > > > wife's

> > > > > > > > > > father

> > > > > > > > > > passed away and I have to leave for Wales this morning

> > > for

> > > the

> > > > > > > > > funeral

> > > > > > > > > > and

> > > > > > > > > > wont be back until the weekend..

> > > > > > > > > >

> > > > > > > > > > Regards

> > > > > > > > > >

> > > > > > > > > > Robert

> > > > > > > > > >

> > > > > > > > > > ----- Original Message -----

> > > > > > > > From: "Perez-Daple, Aaron" <Aaron.Perezdaple@USPTO.GOV>  
> > > > > > > > To: "rk" <rk@x-ez.com>  
> > > > > > > > Sent: Tuesday, January 25, 2005 9:22 PM  
> > > > > > > > Subject: RE: patent application

> > > > > > > >  
> > > > > > > >  
> > > > > > > > > Also, you can call me now, if you wish.

> > > > > > > >  
> > > > > > > > > -Aaron

> > > > > > > >  
> > > > > > > > > -----Original Message-----  
> > > > > > > > > From: rk [mailto:rk@x-ez.com]  
> > > > > > > > > Sent: Monday, January 24, 2005 2:53 AM  
> > > > > > > > > To: Perez-Daple, Aaron  
> > > > > > > > > Subject: Re: patent application

> > > > > > > >  
> > > > > > > >  
> > > > > > > > > Dear Mr. Perez-Daple,

> > > > > > > >  
> > > > > > > > > Yes, thank you.

> > > > > > > >  
> > > > > > > > > Regards

> > > > > > > >  
> > > > > > > > > Robert Kaplan

> > > > > > > >  
> > > > > > > > > ----- Original Message -----  
> > > > > > > > > From: "Perez-Daple, Aaron"

<Aaron.Perezdaple@USPTO.GOV>  
> > > > > > > > > To: "rk" <rk@x-ez.com>  
> > > > > > > > > Sent: Monday, January 24, 2005 2:58 AM  
> > > > > > > > > Subject: RE: patent application

> > > > > > > >  
> > > > > > > >  
> > > > > > > > > Dear Mr. Kaplan,  
> > > > > > > > >  
> > > > > > > > > Is 3pm my time on Tuesday the 25th (not the 26th,  
> sorry)

> > > > > > > >  
> > > > > > > > > acceptable  
> > > > > > > > > for  
> > > > > > > > > you?  
> > > > > > > > >  
> > > > > > > > > Regards,

> > > > > > > >  
> > > > > > > > > Aaron Perez-Daple

> > > > > > > >  
> > > > > > > > > -----Original Message-----  
> > > > > > > > > From: rk [mailto:rk@x-ez.com]  
> > > > > > > > > Sent: Friday, January 21, 2005 2:23 PM  
> > > > > > > > > To: Perez-Daple, Aaron  
> > > > > > > > > Subject: Re: patent application

> > > > > > > >  
> > > > > > > >  
> > > > > > > > > Dear Mr. Perez-Daple.  
> > > > > > > > >  
> > > > > > > > > Tuesday 26th at 3pm your time, if you are on the  
east

> > > coast  
> > > is  
> > > 8pm  
> > > my  
> > > time  
> > > as there is 5 hours difference I believe but will  
> > > reconfirm.

> > > > > > > >  
> > > > > > > > > Thank you, I would like to generally discuss if I

have  
 > > any  
 > > > > > options  
 > > > > > > with  
 > > > > > > > regards to your rejection of my application I must  
 > > apologise  
 > > > > > that  
 > > > > > it  
 > > > > > > was  
 > > > > > > > so  
 > > > > > > > > out of sync with what is expected.  
 > > > > > > > >  
 > > > > > > > > Regards  
 > > > > > > > >  
 > > > > > > > > Robert Kaplan  
 > > > > > > > >  
 > > > > > > > > PS it is now 19:20pm  
 > > > > > > > >  
 > > > > > > > > and ----- Original Message -----  
 > > > > > > > > From: "Perez-Daple, Aaron"  
 > <Aaron.Perezdaple@USPTO.GOV>  
 > > > > > > > > To: "rk" <rk@x-ez.com>  
 > > > > > > > > Sent: Friday, January 21, 2005 6:34 PM  
 > > > > > > > > Subject: RE: patent application  
 > > > > > > > >  
 > > > > > > > >  
 > > > > > > > > > Dear Mr. Kaplan:  
 > > > > > > > > >  
 > > > > > > > > > I'm not certain of the time difference, but would  
 > 3pm  
 > > on  
 > > > > > Tuesday,  
 > > > > > > Jan.  
 > > > > > > > > 26th work for you? I can only give you half an  
 hour  
 > of  
 > > > > time.  
 > > > > > If  
 > > > > > > you  
 > > > > > > > have  
 > > > > > > > > any specific proposed amendments to the claims  
 please  
 > > > email  
 > > > > or  
 > > > > > fax  
 > > > > > > > them  
 > > > > > > > > to  
 > > > > > > > > > me in advance. Otherwise, we can discuss the reply  
 > > > process  
 > > > > and  
 > > > > > my  
 > > > > > > > > > previous  
 > > > > > > > > > rejection generally.  
 > > > > > > > > >  
 > > > > > > > > > Thank you,  
 > > > > > > > > > Aaron Perez-Daple  
 > > > > > > > > >  
 > > > > > > > > > -----Original Message-----  
 > > > > > > > > > From: rk [mailto:rk@x-ez.com]  
 > > > > > > > > > Sent: Wednesday, January 19, 2005 5:50 AM  
 > > > > > > > > > To: Perez-Daple, Aaron  
 > > > > > > > > > Subject: Re: patent application  
 > > > > > > > > >  
 > > > > > > > > >  
 > > > > > > > > > Dear Mr. Perez-Daple,

> > > > > > > > > > > > > I would like to discuss the ongoing process of  
> > > > re-submitting  
> > > > the  
> > > > > > > patent  
> > > > > > > > > application in accordance to your letter, would  
you  
> > > please  
> > > > let  
> > > > > me  
> > > > > > know  
> > > > > > > > when  
> > > > > > > > > it will be convenient for me to call next week any  
> > time  
> > > > after  
> > > > > 4pm  
> > > > > > my  
> > > > > > > > > time.  
> > > > > > > > > > >  
> > > > > > > > > > > Thank you  
> > > > > > > > > > >  
> > > > > > > > > > > Regards  
> > > > > > > > > > >  
> > > > > > > > > > > Robert Kaplan  
> > > > > > > > > > >  
> > > > > > > > > > > ----- Original Message -----  
> > > > > > > > > > > From: "Perez-Daple, Aaron"  
> > <Aaron.Perezdaple@USPTO.GOV>  
> > > > > > > > > > > To: "rk" <rk@x-ez.com>  
> > > > > > > > > > > Sent: Tuesday, January 18, 2005 6:25 PM  
> > > > > > > > > > > Subject: RE: patent application  
> > > > > > > > > > >  
> > > > > > > > > > >  
> > > > > > > > > > > Dear Mr. Kaplan:  
> > > > > > > > > > >  
> > > > > > > > > > > I received your voice mail today. I am out of  
the  
> > > > office  
> > > > > for  
> > > > > > training  
> > > > > > > and  
> > > > > > > > > vacation most of this week. If you would like to  
> > > discuss  
> > > > your  
> > > > > > > application,  
> > > > > > > > > we should schedule a time for a phone interview  
next  
> > > week.  
> > > > You  
> > > > > should  
> > > > > > also  
> > > > > > > email or fax me a summary of what you would like  
to  
> > > > discuss.  
> > > > > My  
> > > > > > > direct  
> > > > > > > > > fax  
> > > > > > > > > > > number is 571-273-3974.  
> > > > > > > > > > >  
> > > > > > > > > > > Regards,  
> > > > > > > > > > > Aaron Perez-Daple  
> > > > > > > > > > >  
> > > > > > > > > > > -----Original Message-----  
> > > > > > > > > > > From: rk [mailto:rk@x-ez.com]  
> > > > > > > > > > > Sent: Thursday, December 02, 2004 5:20 AM

> > > > > > > > > > > To: Perez-Daple, Aaron  
> > > > > > > > > > > Subject: Re: patent application  
> > > > > > > > > > >  
> > > > > > > > > > >  
> > > > > > > > > > > Dear Mr. Perez-Daple,  
> > > > > > > > > > >  
> > > > > > > > > > > Thank you very very much for keeping me updated  
on  
> > my  
> > > > > > application,  
> > > > > > > it  
> > > > > > > is  
> > > > > > > > > greatly appreciated.  
> > > > > > > > >  
> > > > > > > > > Regards  
> > > > > > > > >  
> > > > > > > > > Robert Kaplan  
> > > > > > > > >  
> > > > > > > > >  
> > > > > > > > > ----- Original Message -----  
> > > > > > > > > From: "Perez-Daple, Aaron"  
> > > <Aaron.Perezdaple@USPTO.GOV>  
> > > > > > > > > To: <rk@x-ez.com>  
> > > > > > > > > Sent: Wednesday, December 01, 2004 11:17 PM  
> > > > > > > > > Subject: patent application  
> > > > > > > > >  
> > > > > > > > >  
> > > > > > > > > Dear Mr. Kaplan,  
> > > > > > > > >  
> > > > > > > > > I apologize for not returning your call of  
about  
> a  
> > > > week  
> > > > > ago.  
> > > > > > > > > Unfortunately, we are unable to place  
> international  
> >  
> > > > calls.  
> > > > > I  
> > > > > > am  
> > > > > > > > > usually  
> > > > > > > > > in  
> > > > > > > > > the office between the hours of approximately  
> 10am -  
> > > > 6pm,  
> > > > > EST,  
> > > > > > Monday  
> > > > > > > > > through Friday. It is usally easiest to reach  
me  
> in  
> > > the  
> > > > > > > afternoon.  
> > > > > > > > > I  
> > > > > > > > > > will  
> > > > > > > > > > > be proceeding to examine your application  
> 09/701,861  
> > > > > > shortly.  
> > > > > > > > >  
> > > > > > > > > Sincerely,  
> > > > > > > > > Aaron Perez-Daple  
> > > > > > > > >  
> > > > > > > > > Aaron Perez-Daple  
> > > > > > > > > Patent Examiner  
> > > > > > > > > US Patent and Trademark Office

[illegible]